

Sim, Lowman, Ashton & McKay LLP*Barristers & Solicitors***Sim & McBurney***Patent & Trade Mark Agents*6th Floor, 330 University Avenue
Toronto, Ontario, Canada M5G 1R7**RECEIVED
CENTRAL FAX CENTER**

FEB 14 2007

Tel. (416) 595-1155 • Fax (416) 595-1163**DATE: February 14, 2007****Your Ref:-****Our Ref: 12927-11 LAB**

TO:	FAX #	PHONE #
Commissioner for Patents United States Patent & Trademark Office	571 273 8300	

Total Number of Pages (Including This Page): 10**FROM: Dr. Lola A. Bartoszewicz, Ph.D. / 416 849 8420****COMMENTS:**

We are transmitting from a Xerox Telecopier 7033, 7020 or Workcentre Pro 745 – Group 3 which are compatible with Groups 1 and 2 and fully automatic on a 24 hour basis. If any part of this message is received poorly or missing please call the telecopier operator immediately at (416) 595-1155.

Confidentiality Notice

This message is intended only for the use of the individual person or entity to which it is addressed and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient or the agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosing, copying, distributing or the taking of any action in reliance on the contents of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone (call collect) and return the original message to us at the above address via the postal service. Thank you.

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0891-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number	10/711,408
Filing Date	September 16, 2004
First Named Inventor	Helmuth E. Freitag
Art Unit	1641
Examiner Name	Chin, Christopher L
Attorney Docket Number	12927-11 LAB

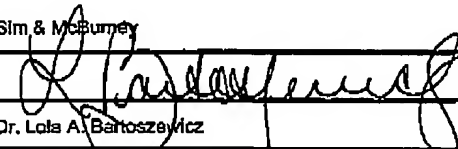
**RECEIVED
CENTRAL FAX CENTER**

FEB 14 2007

ENCLOSURES (Check all that apply)

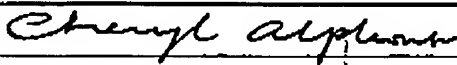
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Sim & McBurney		
Signature			
Printed name	Dr. Lois A. Bartoszewicz		
Date	February 14, 2007	Reg. No.	43394

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Cheryl Alphonso	Date	February 14, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER
FEB 14 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Helmut E. Freitag

Confirmation No: 5407

Group Art Unit: 1641

Application No: 10/711,408

Examiner: Chin, Christopher L.

Filed: September 16, 2004

Attorney Docket No: 12927-11 LAB

For: CHROMATOGRAPHIC ASSAY DEVICE AND METHODS

VIA FACSIMILE: 571 273 8300

RESPONSE UNDER 37 CFR 1.121

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

February 14, 2007

Dear Sir:

In response to the **Final Office Action** dated December 29, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.